

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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U.S. UNDERWRITERS INSURANCE COMPANY, Docket No.: 08-CV-985 (JSR)

Plaintiff,

-against-

**ORDER**

MILLENNIUM CARE, INC., DENISE PERRY,  
WILLIAM H. PERRY, TERRENCE COUSINS, by his  
grandmother and legal guardian LA VAIDA THOMAS,  
LA VAIDA THOMAS, individually, and THE CITY OF  
NEW YORK,

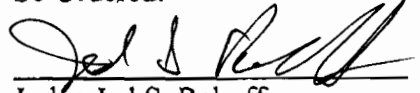
Defendants.  
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**IT IS HEREBY ORDERED, that:**

U.S. Underwriters Insurance Company's motion for default against TERRENCE COUSINS, by his grandmother and legal guardian LA VAIDA THOMAS, LA VAIDA THOMAS, individually, and THE CITY OF NEW YORK for failure to appear in this lawsuit, is granted, and therefore the non-appearing parties cannot dispute that U.S. UNDERWRITERS INSURANCE COMPANY has no obligation to defend or indemnify MILLENNIUM CARE, INC., DENISE PERRY, or WILLIAM H. PERRY as to the claims asserted in the action pending in the Supreme Court of the State of New York, County of Bronx, entitled, Terrence Cousins, by his grandmother La Vaida Thomas and legal guardian La Vaida Thomas, and La Vaida Thomas, individually v. The City of New York, William H. Perry and Millennium Care, Inc., under Index No. 23677/05.

Dated: August 26, 2008  
New York, New York

So Ordered:

  
Judge Jed S. Rakoff  
District Court-Southern District

